

109TH CONGRESS  
1ST SESSION

# S. 577

To promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 9, 2005

Ms. COLLINS (for herself and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “HIPAA Recreational  
5 Injury Technical Correction Act”.

6 **SEC. 2. COVERAGE AMENDMENTS.**

7 (a) ERISA.—Section 702(a)(3) of the Employee Re-  
8 tirement Income Security Act of 1974 (29 U.S.C.  
9 1182(a)(3)) is amended—

1 (1) by striking “CONSTRUCTION.—For” and in-  
 2 serting the following: “SCOPE.—

3 “(A) WAITING PERIODS.—For”; and

4 (2) by adding at the end the following:

5 “(B) LIMITATION ON DENIAL OF BENE-  
 6 FITS.—For purposes of paragraph (2), a group  
 7 health plan, or a health insurance issuer offer-  
 8 ing group health insurance coverage in connec-  
 9 tion with a group health plan, may not deny  
 10 benefits otherwise provided under the plan or  
 11 coverage for the treatment of an injury solely  
 12 because such injury resulted from the participa-  
 13 tion of the individual in a legal mode of trans-  
 14 portation or a legal recreational activity.”.

15 (b) PHSA.—Section 2702(a)(3) of the Public Health  
 16 Service Act (42 U.S.C. 300gg-1(a)(3)) is amended—

17 (1) by striking “CONSTRUCTION.—For” and in-  
 18 serting the following: “SCOPE.—

19 “(A) WAITING PERIODS.—For”; and

20 (2) by adding at the end the following:

21 “(B) LIMITATION ON DENIAL OF BENE-  
 22 FITS.—For purposes of paragraph (2), a group  
 23 health plan, or a health insurance issuer offer-  
 24 ing group health insurance coverage in connec-  
 25 tion with a group health plan, may not deny

1 benefits otherwise provided under the plan or  
2 coverage for the treatment of an injury solely  
3 because such injury resulted from the participa-  
4 tion of the individual in a legal mode of trans-  
5 portation or a legal recreational activity.”.

6 (c) INTERNAL REVENUE CODE.—Section 9802(a)(3)  
7 of the Internal Revenue Code of 1986 is amended—

8 (1) by striking “CONSTRUCTION.—For” and in-  
9 serting the following: “SCOPE.—

10 “(A) WAITING PERIODS.—For”; and

11 (2) by adding at the end the following:

12 “(B) LIMITATION ON DENIAL OF BENE-  
13 FITS.—For purposes of paragraph (2), a group  
14 health plan may not deny benefits otherwise  
15 provided under the plan for the treatment of an  
16 injury solely because such injury resulted from  
17 the participation of the individual in a legal  
18 mode of transportation or a legal recreational  
19 activity.”.

○